

vessels instead of towing them to a port for adjudication. It is just, however, to remark that many modifications in the Declaration which subsequent events demanded could, not possibly have occurred to the alertest intellect by reason of the absolute contempt for law and humanity which the infamous practices of German warfare disclosed. This Convention dealt with the question of contraband<sup>1</sup> goods. The term "contraband" involves the question of the nature of the goods which a neutral country (when war is raging) is permitted to convey to one of the belligerents without being liable to capture and forfeiture by the other belligerent. If, e. g., a merchant vessel belonging to a neutral be found to be carrying to a belligerent any instruments and materials which from their nature are usable in the conduct of hostilities, the act is inconsistent with neutrality—the owning country in question is no longer neutral, but is directly aiding the enemy. But the question grows perplexing when other descriptions of commodities are considered, such as coal, iron, timber and food, which may be equally employed for neutral purposes solely. And there is included also the question of indirect contributions to an enemy's resources for the maintenance of the war. The subject should rest upon International Law or a code of recognised rules which should regulate the attitude and actions of countries when war prevails; but so far a very limited amount of accepted doctrine has attended the labours of jurists. In 1856, an important International Agreement was signed at Paris, which has been termed the Declaration of Paris. During the later maritime wars, England had acted upon the rule of capturing the goods of an enemy conveyed in a neutral ship, while the goods of a neutral carried by an enemy's vessel were not, under general circumstances, regarded as a prize of war. Concurrently it had formed the traditional policy of France to confiscate neutral goods discovered in enemies' ships. In

<sup>1</sup> The word "contraband" is an adaptation of the Spanish *contrabando* (smuggling) adopted from the Italian *contrabando*, "dealings against law or proclamation " ; and

ultimately derived from the Late Latin, *Bandum*, *Bannum*, where *Bannum* (English *Ban*)} is a command or prohibition under threat or penalty.